

**EDWARD C HALEY AS THE  
ADMINISTRATOR OF THE ESTATE OF  
JOHN DEVIN HALEY,**

**Plaintiff,**

**v.**

**WELLPATH, LLC, ET. AL.,**

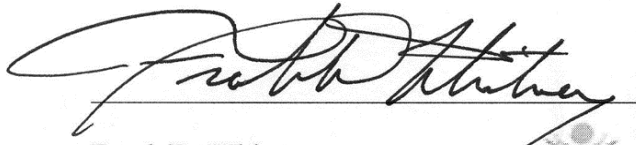
**Defendants.**

**THIS MATTER** is before the Court on the Motion to Dismiss and Motion for Preliminary Hearing on the Motion to Dismiss, (Doc. Nos. 36, 38). After these motions were filed, Plaintiff filed an Amended Complaint, (Doc. No. 42). “The general rule . . . is that an amended pleading supersedes the original pleading, rendering the original pleading of no effect.” Young v. City of Mount Ranier, 238 F.3d 567, 573 (4th Cir. 2001); see also Fawzy v. Wauquiez Boats SNC, 873 F.3d 451, 455 (4th Cir. 2017) (“Because a properly filed amended complaint supersedes the original one and becomes the operative complaint in the case, it renders the original complaint ‘of no effect.’ ”); Colin v. Marconi Commerce Systems Employees’ Retirement Plan, 335 F.Supp.2d 590, 614 (M.D.N.C. 2004) (“Earlier motions made by Defendants were filed prior to and have been rendered moot by Plaintiffs’ filing of the Second Amended Complaint”); Ledford v. Eastern Band of Cherokee Indians, No. 1:20-CV-005-MR-DCK, 2020 WL 1042235 at 1 (W.D.N.C. March 3, 2020) (“It is well settled that a timely-filed amended pleading supersedes the original pleading, and that motions directed at superseded pleadings may be denied as moot”).

**IT IS, THEREFORE, ORDERED** that Defendants' Motions, (Doc. Nos. 36, 38), are DENIED AS MOOT and without prejudice to reassert any applicable arguments in a subsequent pleading directed to the Amended Complaint

**IT IS SO ORDERED.**

Signed: April 24, 2023

  
Frank D. Whitney  
United States District Judge

